

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TRAY ROBINSON,	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 24-CV-2599
	:	
HENDERSON, et al.,	:	
Defendants.	:	

ORDER

AND NOW, this **16th** day of **July 2024**, upon consideration of Robinson's Request to Amend (ECF No. 5), his Complaint (ECF No. 2) and his Amended Complaint (ECF No. 6), and for the reasons stated above, it is **ORDERED** that:

1. Robinson may file a second amended complaint within thirty (30) days of the date of this Order. Any second amended complaint must clearly identify all defendants in the caption of the second amended complaint in addition to identifying them in the body of the second amended complaint and shall state the basis for Robinson's claims against each defendant. Any defendants who are not listed will not be considered parties to this case. **The second amended complaint shall be a complete document that does not rely on (or incorporate by reference) the initial Complaint, Amended Complaint, or any other papers filed in this case to state a claim. This means that Robinson must raise all factual allegations and claims that he seeks to bring related to the events underlying this lawsuit in one document. Any claims, allegations, or defendants that are not included will not be considered part of this case.**

Upon the filing of a second amended complaint, the Clerk shall not make service until so ORDERED by the Court.

2. The Clerk of Court is **DIRECTED** to send Robinson copies of the following documents:

- a. A copy of Robinson's initial Complaint without exhibits (ECF No. 2 at 1-19);
- b. The typewritten version of Robinson's Amended Complaint (ECF No. 6 at 2-6); and
- c. A blank copy of the Court's form complaint for a prisoner filing a civil rights action bearing the above civil action number. Robinson may use this form to file his second amended complaint if he chooses to do so.

3. If Robinson does not file a second amended complaint, the Court will treat Robinson's Amended Complaint (ECF No. 6) as the governing pleading in this case.

4. To the extent Robinson requests discovery, his request is **DENIED** as premature.¹

5. The Court will wait to rule on Robinson's Motion to Proceed *In Forma Pauperis* until it receives Robinson's second amended complaint or the time provided in this order expires, whichever is earlier.

BY THE COURT:

/s/ **Chad F. Kenney**

CHAD F. KENNEY, J.

¹ Discovery generally does not occur until the Defendants have been served and have answered the operative pleading. At this point in the case, the Court does not clearly have an operative pleading.